

Department of Public Health
and Human Services

Section:
NONFINANCIAL REQUIREMENTS

TANF CASH ASSISTANCE

Subject:
Age of Minor Child/Student Status

Supersedes: TANF 304-1 (07/01/03)

References: ARM 37.78.102, .103, .206, .207, and .208

GENERAL RULE– TANF cash assistance is provided to a needy family with a minor child.

A minor child is an individual under age 18, or if age 18 is attending secondary school or an equivalent level program full-time. When the 18-year-old is no longer attending school full-time, his/her eligibility ends the last day of the month school attendance ends. The month after the child turns 19 he/she is no longer considered a minor child regardless of school attendance.

► Minor children, age 16 or 17, not attending secondary school or an equivalent level program full-time, are required to complete a Family Investment Agreement/WoRC Employability Plan (FIA/EP). (TANF 701-1)

NOTE: College is not considered secondary school.

SCHOOL ATTENDANCE

In most public schools (elementary and secondary), full-time attendance is defined as receiving instruction for the school term (180 instructional days) approximately six (6) hours per day/30 hours per week.

To determine school attendance and full-time student status for the 16, 17, or 18-year-old minor child, request a statement from the appropriate school official. If the child is “home schooled” request this information from the child’s caretaker relative.

HOME SCHOOLING

Minor children may be “home schooled” rather than enrolled in public or private schools. In Montana, home-schooling arrangements must be registered with the county superintendent of schools except if the child is age 16 or older. (Registration is not required for 16-year-old because under Montana law children may choose to not attend any school upon reaching age 16.) Registration identifies those children of school age living in the school district, not enrolled in the school system, but not to be considered truant. “Home schooling” instructional time does not have to be scheduled Monday through Friday nor during “regular” school hours.

If the home schooling average weekly hours are within plus or minus five (5) hours of the public school’s schedule of 30 hours of class time per week, consider the 16, 17, or 18-year-old a full-time student. The 16 or 17-year-old may attend less than full-time and still qualify as a minor child

but the 18-year-old must be a full-time secondary school student as stated in the General Rule.

GED CLASSES

When the 18-year-old is enrolled and attending GED (Graduate Equivalency Diploma) classes rather than high school, the attendance hours may vary but should closely approximate 30 hours/week on average to qualify the 18-year-old as a full-time student or to allow the 16 or 17-year old to not have a FIA/EP. Request verification of attendance hours and other requirements from the institution providing the instruction.

EXAMPLES

- 1: Mike, age 18, is being “home schooled” by his mother. He is also working 6 hours per day, 3 days per week (18 hours /week).

To determine Mike’s full-time student status, request verification of his weekly hours of instruction. If the caretaker relative states the instruction is taking place and the hours average 30/week (plus or minus 5 hours), designate the child as full-time student. He continues to qualify as a minor child. His earnings are excluded (Refer to TANF 502-1). Document TEAMS Case Notes (CANO).

- 2: Charlie, age 17, has graduated from high school. Because Charlie is no longer a full-time secondary school student, require Charlie to complete his own (FIA/EP). If otherwise eligible and he complies with his FIA/EP, Charlie is an eligible minor child through the month of his 18th birthday.

Charlie’s FIA/EP activities are negotiated based on the requirements set forth in TANF 701-1 and 701-2. If Charlie fails to comply with his FIA/EP, he will be sanctioned.

Once the penalty period is over and he negotiates a new FIA/EP, he may continue to receive benefits through the month of his 18th birthday, if otherwise eligible.

- 3: Angie, turned age 18 in December. She is a full-time student. Continue to include Angie as a minor child through the month of graduation/completion of the program, or until she drops out, or turns age 19, whichever occurs first.
- 4: David, age 18, dropped out of school. David’s needs are removed from benefits the last day of the month he dropped out because he is no longer a full-time student (TEAMS Part Code: ‘OU’ - failed age).

- 5: Jason, a 16-year-old minor child, has dropped out of school. Jason is required to complete his own FIA/EP to remain an eligible child. If Jason fails to negotiate a FIA/EP, the case is closed.

SR/DB

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